

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
:
: NOE GREGORIO AQUINO OSORIO, : 21 Civ. 6413 (PAE) (JW)
: Plaintiff, :
: : ORDER
: -v- :
: PJ'S LAWN SERVICE INC. et al., :
: :
: Defendants. :
: :
----- X

PAUL A. ENGELMAYER, District Judge:

On December 14, 2022, the parties to this Fair Labor Standards Act (“FLSA”) and New York Labor Law (“NYLL”) action applied for approval of a proposed settlement agreement under which defendants PJ’s Lawn Service Inc. and Peter Creegan would pay \$16,286.66 to plaintiff Noe Gregorio Aquino Osorio and \$8,713.34 in fees and costs to plaintiff’s law firm, The Samuel Law Firm. *See* Dkt. 46 (the “Agreement”). The Agreement allocates one third of the settlement amount, net of costs, to plaintiff’s counsel as attorneys’ fees.

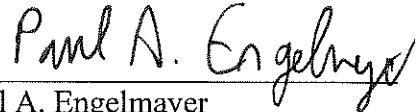
On December 15, 2022, the Court informed the parties that although the Agreement was legally satisfactory, and that the Court would be prepared to approve the overall settlement sum of \$25,000 as substantively reasonable and achieved through procedurally fair means, the Court could not approve the agreement in its present form because it lacked the signatures of the parties. Dkt. 47.

On December 29, 2022, the parties refiled the Agreement with proper signatures. *See* Dkt. 48 (the “Signed Agreement”). Upon careful review of the Signed Agreement, the Court is satisfied that the Signed Agreement was achieved through procedurally fair means and is fair and

reasonable such that it satisfies the standard set forth in *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015).

Accordingly, the Court approves the Agreement.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: January 3, 2023
New York, New York